

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 5 and 6 are currently being amended. Support for the amendment to claim 5 can be found at least in the specification on page 6, line 3 to page 7, last line. No new matter is being added.

This amendment adds and changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 5-6 are now pending in this application.

Rejections under 35 U.S.C. § 103

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,665,275 to Kobayashi et al. (“Kobayashi”) in view of U.S. Patent No. 5,507,670 to Aketagawa et al. (“Aketagawa”). Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. 2002/034642 A1 to Takahashi et al. (“Takahashi”) in view of Kobayashi. Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi and Aketagawa, and further in view of U.S. 2002/035024 to Kato et al. (“Kato”). Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi and Kobayashi, and further in view of Kato. These rejections are moot with respect to claims 1 and 2, which have been cancelled. Insofar as these rejections can be applied to claims 5 and 6, as amended, applicant respectfully traverses for at least the following reasons.

Independent claim 5, as amended, recites “wherein the fluorine-based organic compound is such that the deterioration of the optical member due to adhesion distortion is avoided when the optical member is irradiated with an excimer laser of deep UV region at 248 nm for 148 hours at a laser output of 3W/cm².“ None of the references applied in the rejection of the claims suggests at least this feature of claim 5 where the adhesion distortion is avoided when the optical member is irradiated with an excimer laser of deep UV region at

248 nm for 148 hours at a laser output of 3W/cm². For example, while Takahashi discloses that irradiating his optical member with an excimer laser at 248 nm and 3W/cm² hardly changes the transmittance of his fluorinated grease (paragraph [0036]), Takahashi does not disclose that such an irradiation avoids adhesion distortion.

Moreover, the Patent Office fails to provide proper evidentiary support for either the combination of Kobayashi and Aketagawa, or Takehashi and Kobayashi in the manner suggested by the Patent Office. With respect to Kobayashi and Aketagawa, the Patent Office has not provided a proper reason for replacing the optical device of Kobayashi with a lens assembly of quartz and fluorite as disclosed in Aketagawa (col. 8, lines 4-5). Kobayashi discloses an optical device suitable for an anti-vibration optical system when disposed as a part in a photographic system, such as a still camera or a video camera, so as to correct an image deviation due to vibration of the photographic system (col. 1, lines 14-19). By contrast, the Aketagawa optical system is for a semiconductor exposure system in the UV (See col. 1, lines 11-24). The Patent Office provides no proper reason why one skilled in the art would include a lens of a semiconductor exposure system for UV exposure in a still camera or video camera, or that such a lens would be appropriate.

With respect to Takahashi and Kobayashi, the Patent Office has provided no proper reason for providing the annular member 33 comprising annular films 33a and 33b as a sealant for the Takehashi optical member. The purpose of the annular member 33 of Kobayahsi is to provide a material having the flexibility sufficient to allow its circular plates 31 and 32 to move relative to each other (col. 8, lines 37-41). This is consistent with the use of the Kobayashi optical device as an anti-vibration optical system when disposed as a part of a still camera or a video camera. By contrast, there is no suggestion that the Takahashi optical member would need such an anti-vibration optical system.

Dependent claim 6 is patentable for at least the same reasons as claim 5, from which it depends, as well as for further patentable features recited therein. Claim 6, as amended, recites “evaporating a fluoride on a surface of the plural lenses prior to filling the fluorine-based organic compound between the plural lenses.” Kato, for which the Patent Office relies for suggesting this feature in paragraph [0094], does not suggest such a feature. Kato, in

paragraph [0094] merely discloses that optical films may be made by resistance heating evaporation, instead of other film forming methods. By contrast, claim 6 recites an additional step prior to a film forming step, not an alternative manner of forming a film. Thus, even if Kato were combined with the other reference applied in the rejection, the combination would not suggest the method of claim 6.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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